

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: SEPTEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHAM, BLANCHETTE, CROSTHWAITE,
FORTIER, HUDSON, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICKI SUMPTER, AMANDA TUPPER, JENNIFER MADORE, MICHAEL
HARRIS, GARY SAUNDERS, RICHARD TUPPER, DARYL CLARK, PAID ON
CALL FIREFIGHTERS, GLENN MOSHIER, POLICE OFFICERS AND
DISPATCHERS, LARRY WILSON, AMY WISEHART, AND HEIDI GRINDLE.**

Call to Order.

Chairman Phillips called the regular meeting of the Ellsworth City Council to order at 7:00 PM.

Pledge of Allegiance.

All stood for the pledge of allegiance.

Rules of Order.

The meeting was conducted under Robert's Rules of Order and other rules adopted at the November 14, 2016 Annual Organizational Meeting of the Ellsworth City Council. After being recognized by the Chairman, a person may speak not more than three (3) minutes on any one item on the agenda. In addition, the person may speak not more than two (2) minutes in rebuttal.

Adoption of minutes from the following meeting (s) of the Ellsworth City Council:

- *08/21/2017 Regular Monthly Meeting.*
- *09/01/2017 Special Meeting.*

On a motion by Beatham seconded by Moore, it was unanimously

RESOLVED to approve the adoption of minutes from the August 21, 2017 Regular monthly meeting and September 01, 2017 Special City Council meeting as presented this evening.

City Manager's Report.

David Cole, City Manager stated the City is aware of the public's frustration with the new light at the four way intersection between Forrest Avenue and Lejok Street. Cole explained the permanent components for the light have not been received or installed yet. The light is part of the MaineDOT's construction project. The City

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of minutes from the August 21, 2017 Regular monthly meeting and September 01, 2017 Special City Council meeting as presented this evening.

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will be responsible for operating the light once it is completed. The necessary components are currently used parts and not consistent with the traffic light system within the City. Cole asked for the public's patience in the meantime, the traffic light will be fixed as quickly as possible. Cole reminded the public that it is Autumn Gold weekend. Knowlton Park will remain open until October 10, 2017. The splash pad will not operate if the temperature falls below 65 degrees; however, will remain open as long as the weather stays nice.

Committee Reports.

Harbor Commission. Councilor Phillips attended the Harbor Commission meeting on September 13, 2017. At that meeting Harbormaster Adam Wilson noted the Harbor Park opened 41 years ago. This has been a busy season at the Harbor with gas sales being up this year as well. The expectation is there will be an additional gazebo at the Park by the end of the year.

Recreation Commission. Councilor Fortier noted the Recreation Commission met on the first Wednesday of the month. Discussions involved Winter Carnival, the ice skating rink, budget, repairs, field use, as well as the pros and cons of developing a recreation director position. The next meeting will be a continuation of this discussion, as it relates to some follow-up information that required research. In the near future the Commission will be presenting a recommendation to the City Council on this topic. Fortier stated the upper basketball court neighbor told him this has been one of the best summers since the court has been located there. The lack of the sound curtain on basketball court #1 has given her a sense of security. She was very appreciative of the City not putting the sound curtain up this season.

Citizens' Comments.

Kelly Brown, Next Step Domestic Violence Project invited the Council and viewing audience to the First Tree Lighting Ceremony. This event will take place at Knowlton Park on October 3, 2017 at 5:30 PM. This will be the first combined fundraising and awareness event since Next Step was established in 1993. Brown explained the fundraiser portion of the event and how it is tied in with the mission of Next Step. They have currently well exceeded their expectations as well as financial goal amount.

Committee Reports.

Citizens' Comments.

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Patrick Young, Ellsworth resident spoke on his concerns with the \$48 million municipal debt figure. He shared some projections in population for Ellsworth between 2014 and 2034.

Presentation of Awards.

Kevin Kane, for twenty years of service with the Ellsworth Fire Department.

Kevin Kane was absent from the meeting. The certificate will be given to his supervisor for presentation at a later date.

Letters of Commendation presented for three separate incidents of providing life saving measures.

Only one of the incidents will be discussed this evening; the other two will be recognized at a future date.

Glenn Moshier honored Officers Joshua Stewart and Jon Mahon with letters of Commendation for their willingness to administer Narcan (Naloxone) along with extending life saving measures to a resident of Ellsworth until emergency personnel arrived on the scene.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk () are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.*

Council Order #091701, Request of the City Clerk for appointment of Wardens and

Presentation of Awards.

Kevin Kane – 20 years of service with the Fire Department.

Letters of Commendation to Joshua Stewart and Jon Mahon.

Unfinished Business.

Consent Agenda.

Approved - Consent agenda as presented this evening.

Approved - CO

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*Ward Clerks for the four voting districts within the City of Ellsworth for the November 7, 2017 State of Maine Referendum Election and City of Ellsworth Municipal Election. **

See attachment #1 for a complete list of Wardens and Ward Clerks for the November 7, 2017 State of Maine Referendum Election and City of Ellsworth Municipal Election.

*Council Order #091702, Request of the City Clerk for approval on the time polling places open for the November 7, 2017 State of Maine Referendum Election and City of Ellsworth Municipal Election as 8:00 AM. **

*Council Order #091703, Request of the Deputy Treasurer/Tax Collector to accept payments on tax-acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds. **

See attachment #2 for a complete list of tax acquired timeshares that were sold during the course of the previous month.

On a motion by Moore, seconded by Blanchette, it was unanimously

RESOLVED to approve the consent agenda as presented this evening.

Following the vote on the Consent Agenda, Councilor Fortier stated the polls will be open on November 7, 2017 from 8:00 AM to 8:00 PM for the State of Maine Referendum Election and Ellsworth Municipal Election.

NEW BUSINESS

Public hearing and action on the application (s) for the following license (s):

Hane Yee, Inc. d/b/a China Hill Restaurant, 301 High Street, for renewal of a City Class B License (Victualer, Alcohol, and Amusement) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, Vinous Liquor License.

#091701, Wardens and Ward Clerks for the November 7, 2017 State of Maine Referendum Election and City of Ellsworth Municipal Election.

Approved - CO #091702, Polls opening at 8:00 AM.

Approved – CO #091703, quit-claim deed timeshare units.

New Business.

Approved - Hane Yee, Inc. d/b/a China Hill Restaurant, 301 High Street, for

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The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve the request of Hane Yee, Inc. d/b/a China Hill Restaurant, 301 High Street, for renewal of a City Class B License (Victualer, Alcohol, and Amusement) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, Vinous Liquor License.

Overeas, Inc. d/b/a Sylvia's Café, 248 State Street Suite #8 (Mill Mall), for renewal of a City Class C License (Victualer and Alcohol) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve the request of Overeas, Inc. d/b/a Sylvia's Café, 248 State Street Suite #8 (Mill Mall), for renewal of a City Class C License (Victualer and Alcohol) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

renewal of a City Class B License (Victualer, Alcohol, and Amusement) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous, Vinous Liquor License.

Approved - Overeas, Inc. d/b/a Sylvia's Café, 248 State Street Suite #8 (Mill Mall), for renewal of a City Class C License (Victualer and Alcohol) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

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Joseph A. Lusardi d/b/a Maine Organic Therapy, 3 Myrick Street – Suite B, for renewal of a Medical Marijuana Dispensary License including a City Victualer License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve the request of Joseph A. Lusardi d/b/a Maine Organic Therapy, 3 Myrick Street – Suite B, for renewal of a Medical Marijuana Dispensary License including a City Victualer License.

Fogtown Brewing Co LLC d/b/a Fogtown Brewing Company, 25 Pine Street, for a new City Class B License (Victualer, Alcohol, and Amusement) and a new State Brewery License.

Ian Heyse was present, as it was required by the Licensing Ordinance in regards to new businesses.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Heidi Grindle, City Clerk explained the applicants have received a conditional occupancy permit at this time. They have permission for the owners and employees to occupy the building; however, members of the public cannot occupy the building. If approval is granted this evening, the license will not be given to the applicants until the occupancy permit is issued.

Public hearing was opened.

Approved - Joseph A. Lusardi d/b/a Maine Organic Therapy, 3 Myrick Street – Suite B, for renewal of a Medical Marijuana Dispensary License including a City Victualer License.

Approved - Fogtown Brewing Co LLC d/b/a Fogtown Brewing Company, 25 Pine Street, for a new City Class B License (Victualer, Alcohol, and Amusement) and a new State Brewery License.

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There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve the request of Fogtown Brewing Co LLC d/b/a Fogtown Brewing Company, 25 Pine Street, for a new City Class B License (Victualer, Alcohol, and Amusement) and a new State Brewery License.

Council Order #091704, Request of the Finance Director for approval to encumber certain appropriation accounts.

Tammy Mote, Finance Director explained this is the annual request to encumber funds for any unfinished projects. The majority of the projects include capital improvement projects. Included in the request this year is approximately \$200,000 from the Library Assigned Fund Balance. See attachment #3 for a list of accounts to be encumbered including the three Library accounts. Mote would like consideration on requiring in the future any Capital Improvement Projects being funded out of this fund balance come before the Council for approval. Councilor Fortier inquired if upon the final audit being received will all the remaining balance notations on attachment #3 be converted to real numbers. Mote confirmed that is correct, she never uses actual numbers in this document in case there are a few minor changes through the audit process. This agenda item is generally heard in June; however, after discussions with the auditors it was felt waiting a few months would provide a more accurate financial picture. There are still a few invoices being received from purchases made prior to June 30, 2017.

On a motion by Blanchette, seconded by Fortier, it was unanimously

RESOLVED to approve Council Order #091704, Request of the Finance Director to encumber certain appropriation and assigned fund balance accounts as presented in attachment #3.

Council Order #091705, Request of the Finance Director for approval to adjust the FY 2017 estimated appropriations and revenues.

Approved - Council Order #091704, Request of the Finance Director to encumber certain appropriation and assigned fund balance accounts as presented in attachment #3.

Approved - Council Order #091705,

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Tammy Mote, Finance Director explained this is an annual request to cover overages within the general fund cost centers. This year the largest contributor to overages was additional vacation time and sick time coverage within the public safety departments, as well as the Police Department restructuring plan. See attachment #4 for a complete list. The entire overage of \$225,000 will be covered out of the additional \$240,000 received in excise tax revenue. The City is in good condition this year.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve Council Order #091705, Request of the Finance Director to adjust the FY 2017 estimated appropriations and revenues as presented in attachment #4.

Council Order #091706, Request of the Wastewater Treatment Superintendent to award the bid for a new 4WD pickup truck with plow.

Michael Harris, Wastewater Treatment Superintendent explained the current plow truck is approximately 11 years old and is starting to experience costly repairs deeming it time to think about a replacement truck. Four dealerships were invited to bid. Two dealerships responded with bids. See attachment #5 for the complete request, spreadsheet of bids received, bid specifications, and bid documents from Darling's Chevrolet. Darling's Ford submitted the lowest bid, in the amount of \$35,533. Harris requested the low bid be approved, as both dealerships met the bid specifications. The difference in bid amounts was \$22. The Ford truck will be serviced in Bangor and the Chevrolet truck will be serviced in Ellsworth according to the bid documents. The Council discussed purchasing the Chevrolet truck from the local dealership over the Ford as the price difference was so insignificant compared to the cost of taking the Ford to Bangor each time it needed to be serviced. According to Councilor Fortier, the Chevrolet did not meet the exact specifications as it is only a 6.0 liter and the rear end ratio was slightly off from specifications. Fortier questioned why the dealerships did not submit bids on the 2017 models; the specifications did not prohibit including those. Fortier noted the Chevrolet bid has a delivery date of 8-10 weeks and the Ford bid has a delivery date of 14-16 weeks. He also agreed the cost savings from the Ford bid would be gone

Request of the Finance Director to adjust the FY 2017 estimated appropriations and revenues as presented in attachment #4.

Approved - Council Order #091706, award the bid for a pickup truck to Darling's Chevrolet at a price of \$35,555 and allow the Wastewater Superintendent to select which equally priced plow he would like on the truck.

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following the first trip to Bangor for service. Harris stated dealerships can no longer take orders for 2017 model trucks. There was a short discussion on the differences within the terms of super cabs compared to double cabs in relation to both being extended cabs not full size crew cabs. A bid was not submitted on a Dodge model truck because they do not make an extended cab, that brand only has the full crew cab style. Harris inquired if the Council would approve the Boss plow for the truck. The Fisher and Boss plows were bid at the same cost.

On a motion by Fortier, seconded by Moore, it was

RESOLVED to approve Council Order #091706, award the bid for a pickup truck to Darling's Chevrolet at a price of \$35,555 and allow the Wastewater Superintendent to select which equally priced plow he would like on the truck.

A final vote was taken with 5 members voting in favor (Blanchette, Fortier, Hudson, Moore, and Phillips), 1 member voting in opposition (Crosthwaite) and 1 member abstaining from the vote (Beathem).

Council Order #091707, Request of the Public Works Director to award the bid for a new 2018 Truck and Cab Chassis Wheeler.

Larry Wilson, Public Works Director stated two bids were received back out of the three that were requested. See attachment #6 for the complete request, spreadsheet of bids received, bid specifications, and bid documents from Colwell Diesel Service. Colwell Diesel is a local business; however, the bid did come in \$510.23 higher than the bid received from Daigle & Houghton, Inc. Both trucks met the specifications and will be capable of meeting the job requirements. The difference between the companies is Colwell Diesel offers great service at night, during snowstorms, and after hours whenever needed; Wilson is recommending Colwell Diesel even though the bid amount is higher. Councilor Moore noted likely the service they provide is worth the additional \$510.23. The current truck will be kept as a spare. There was a discussion concerning the fact the Western Star truck did not have the remote powered modular. The delivery schedule appeared to be very close between both companies. Councilor Fortier noted the following reasons for supporting the purchase of the more expensive truck: the high level of service provided by Colwell Diesel, the willingness to loan specialty tools to the Public

Approved - Council Order #091707, request of the Public Works Director to award the bid for a new 2018 truck & cab chassis wheeler to Colwell Diesel Service of Ellsworth at a cost of \$92,510.23 for the reasons previously stated to be paid for through the Highway Equipment Capital Improvement Account.

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Works mechanic, and the lack of a local drop-off service by Daigle & Houghton to transport the truck to Bangor. The transportation cost to Bangor for servicing will more than exceed the difference in price of \$510.23. Although this thought process goes against the low bid policy, it does appear to make the most financial sense to the tax payers of Ellsworth under the above circumstances. The consensus of the Council was to award the truck to the high bidder.

On a motion by Fortier, seconded by Moore, it was

RESOLVED to approve Council Order #091707, request of the Public Works Director to award the bid for a new 2018 truck & cab chassis wheeler to Colwell Diesel Service of Ellsworth at a cost of \$92,510.23 for the reasons previously stated to be paid for through the Highway Equipment Capital Improvement Account.

A final vote was taken with 6 members voting in favor (Beatham, Blanchette, Crosthwaite, Fortier, Hudson, and Moore) and 1 member abstaining from the vote (Phillips).

Council Order #091708, Request of the Public Works Director to award the bid for a new 2018 Body, Sander, and Plow Gear.

Larry Wilson, Public Works Director stated both contractors that were invited to bid submitted proposals. See attachment #7 for the complete request, spreadsheet of bids received, bid specifications, and bid documents from H.P. Fairfield, LLC. Wilson is recommending awarding the bid to H.P. Fairfield, LLC as Viking Cives of Maine did not meet all the specifications. They did not include any of the lights as were requested on the specifications. The cost to transport the equipment to Lewiston where they are now located will be higher than transporting the unit to Skowhegan where H.P. Fairfield is located. Councilor Moore inquired what the life expectancy is for this style truck. Wilson was not sure; however, the City is still using one from 1997. David Cole, City Manager stated the equipment could stay on the road a long time it just depends on how much money the business wants to keep spending on repairs. The environment causes rust to the equipment which generally ends the life of the equipment. Through the use of undercoating materials the life expectancy is being extended well beyond the 10 year timeframe. Councilor Fortier

Approved - Council Order #091708, request to award the purchase of a new 2018 Plow and wing/dump body & hopper sander for the Public Works Department to the lowest responsive bidder of H.P. Fairfield, LLC, at a cost of \$65,995 to be paid for through the Highway Equipment Capital Improvement

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inquired if there is a financial way the City could order this type of equipment in May rather than September to ensure delivery before February.

Account.

On a motion by Blanchette, seconded by Moore, it was

RESOLVED to approve Council Order #091708, request to award the purchase of a new 2018 Plow and wing/dump body & hopper sander for the Public Works Department to the lowest responsive bidder of H.P. Fairfield, LLC, at a cost of \$65,995 to be paid for through the Highway Equipment Capital Improvement Account.

Before a vote was taken Fortier offered a friendly amendment to the proposed motion rather than stating highest bidder, he suggested to the lowest responsive bidder. Blanchette approved and Moore seconded the amended language.

A final vote was taken on the above motion with all members voting unanimously in favor.

Council Order #091709, Request of the City Planner to pave a portion of Boat Launch Drive.

There was no discussion prior to a motion being made to remove this item.

On a motion by Fortier, seconded by Crosthwaite, it was unanimously

RESOLVED to approve removing from the agenda Council Order #091709, Request of the City Planner to pave a portion of Boat Launch Drive.

Council Order #091710, Request of the City Manager for approval on a reorganization plan for the Fire Department including a new firefighter position.

David Cole, City Manager noted discussions concerning the Fire Department and how to best reorganize the crew for all the challenges they are facing have been on-going for the past year. This plan would require one Council action with two components. First Chief Tupper is requesting the two Lieutenants be elevated to the position of Captains. This would be a .20 per hour differential resulting in an

Approved - Removing from the agenda Council Order #091709, Request of the City Planner to pave a portion of Boat Launch Drive.

Approved - Council Order #091710, Request of the City Manager to reorganize the Fire Department by promoting the two Lieutenants to

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HARRIS, GARY SAUNDERS, RICHARD TUPPER, DARYL CLARK, PAID ON
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DISPATCHERS, LARRY WILSON, AMY WISEHART, AND HEIDI GRINDLE.**

increase of approximately \$1,000 for the year per officer. More important than the financial increase this will delineate clear and clean lines of command as well as recognizes the work these two individuals are doing in helping to lead the Fire Department. The second item involves hiring an additional firefighter. It has been displayed through the levels of overtime currently being paid out that hiring an additional firefighter could be funded through savings from this overtime expense. See attachment #8 for the complete request, proposed Chain of Command chart, job descriptions for the Captain (Career) and Acting (Career) Fill-in Lieutenant, written Chain of Command description, and Policy Professional Responsibilities. Richard Tupper, Fire Chief gave a brief history on where this request came from. Recently, this topic took precedent when the staffing level fell to a critical level. On the career staff side the Department is down 3 members due to illness, injury or resignation. The paid on-call side has been experiencing a decrease in numbers for a while now. Although, six applications for paid on-call firefighters have just been received; however, in the past this has not always indicated the Department would be gaining members through this avenue. It has become very difficult to hang on to these applicants based on the level of commitment that is required to meet the necessary trainings and response needs of the Department. The Department also went to a dedicated shift plan. This allows the career positions to work with the same people each shift they are scheduled barring any vacations and sick leave fill-ins. During these times of missing career staff members a fine balance of experienced members was needed to off-set the less experienced members. The vacancies with staff are being filled by staff at a high overtime rate while at the same time burning the staff members out. By hiring an additional firefighter now, Tupper estimates saving approximately \$22,000 in overtime expenses. Tupper explained the reorganizational plan and how the Department could do a better job by placing individuals in the right positions and assigning tasks to the right individuals to get the job completed. Another component is having each officer on the designated shifts being of equal rank, which would be the rank of Captain. Both individuals are already operating in this capacity and sharing the responsibilities in a successful manner. This will help with the communication travel both up and down the chain of command. Councilor Fortier recognized the hard work and positive approach taken to reach this point, as well as noted he was able to get most of his questions answered earlier in the week. He did inquire this evening if the new Captain positions would be a Union position or not. Tupper stated they would be Union positions. The existing Captain is a member of the Union currently. It

**Captains and to hire
an additional career
firefighter/engineer.**

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: SEPTEMBER 18, 2017

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE,
FORTIER, HUDSON, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
MICKI SUMPTER, AMANDA TUPPER, JENNIFER MADORE, MICHAEL
HARRIS, GARY SAUNDERS, RICHARD TUPPER, DARYL CLARK, PAID ON
CALL FIREFIGHTERS, GLENN MOSHIER, POLICE OFFICERS AND
DISPATCHERS, LARRY WILSON, AMY WISEHART, AND HEIDI GRINDLE.**

was noted the number of overtime hours currently being experienced is unhealthy and unsafe. Fortier pointed out a clerical correction to the flow chart, he suggested replacing the name “Underhill” with “new hire”. Councilor Moore inquired if Tupper had an estimate of how long it would take to fill the new position. Tupper explained due to the resignation of Underhill, they have gone through the application process and currently have the ability to select two new firefighters if the additional position is approved this evening. Tupper explained the acting Lieutenant box within the chart contained in attachment #8. This would remain a Union position; however, a position is not necessarily being created. Currently in the contract there is an officer of the day position; Tupper explained what that term means and how it fits into the new chain of command diagram. This plan when approved and based on full staffing levels allows a team of four members to report to an incident. Fortier felt the addition of the orientation packet was great and asked Tupper to include in that packet the City’s Vision and Mission Statement.

On a motion by Hudson, seconded by Beathem, it was

RESOLVED to approve Council Order #091710, Request of the City Manager to reorganize the Fire Department by promoting the two Lieutenants to Captains and to hire an additional career firefighter/engineer.

Before a vote was taken Councilor Crosthwaite inquired if the Council rules allow for both of the items to be combined within a single motion. The consensus of the Council was the motion complies with the rules. Fortier inquired if this motion will also transition the day shift training officer to a 24 hour shift as contained in the memo. Tupper stated this motion does not include that change. That language was included as a way to look to the future by aspiring to reach the four person staffing level at a quicker pace with minimal impact.

A final vote was taken on the above motion with all members voting unanimously in favor.

Council Order #091711, Request of the Deputy Treasurer/Tax Collector to adjust the previously approved pricing for tax-acquired timeshare units by the City Council and to write off any remaining balances.

**Approved - Council
Order #091711,
Request of the**

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MICKI SUMPTER, AMANDA TUPPER, JENNIFER MADORE, MICHAEL
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DISPATCHERS, LARRY WILSON, AMY WISEHART, AND HEIDI GRINDLE.**

Amanda Tupper, Deputy Treasurer/Tax Collector explained the City of Ellsworth currently has (no more than) 280 tax acquired timeshare units for sale due to nonpayment of taxes. See attachment #9 for a complete list of those timeshare units. Some of the units included on this list date back to Fiscal Year 2011. In the past, the Council approved the sale price, which was made up of back taxes, lien costs, interest, and an additional \$100 fee for administration costs. The administration fee covers the cost of advertising the properties and the necessary paperwork that must accompany each transfer. In order to put the approximately 280 timeshare units back on the tax rolls in a timely manner, a sale on the units is being requested. The price of the units would be adjusted down to an even \$100.00. This sale would only include the units that are currently on the foreclosure list (attachment #9). In December should there be timeshare units that are foreclosed on, the sale price would still fall under the previous guidelines and not this flat \$100.00 sale price. Adjusting the price requires some of the tax obligation to be written-off following the sale of the unit. Tupper stated this idea came about while she was speaking with the Manager of Acadia Village Resort. He mentioned they were discussing having an Open House event in November; Tupper inquired if they would be willing to have her attend the Open House and offer for sale the units the City currently owns. The list Tupper provided (attachment #9) reflects the current financial obligation on each unit the City currently owns as well as the adjusted price of \$100. Tammy Mote, Finance Director noted that since this agenda item went to the Ellsworth American for publication, Acadia Village Resort has reported there has been increased interest from the public in acquiring units and finding out more information. Councilor Hudson inquired how expensive are the units if they are purchased directly from Acadia Village Resort. Tupper stated it depends on the week; however, has heard they start at \$1,800 per week and increase from that point. She has heard Acadia Village Resort is holding a sale right now with units as low as \$200 per week; however, was not sure if that price included all the transfer paperwork or not. Hudson inquired how much tax revenue does the City capture from the units each year. Generally, the taxes range from \$80 to \$120 per year on each unit. Councilor Moore questioned why so many units are owned by Acadia Village Resorts. Tupper explained those units were owned by the previous owner of Acadia Village Resort and now there is a Homeowners Association. The City does not own any of the units recorded to the current Homeowners Association. At one point in history the City would send one tax bill for all the units and then at

**Deputy
Treasurer/Tax
Collector to adjust
the previously
approved pricing for
tax acquired
timeshare units to
\$100.00 per unit and
to write off any
remaining tax
balance.**

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DATE: SEPTEMBER 18, 2017

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MICKI SUMPTER, AMANDA TUPPER, JENNIFER MADORE, MICHAEL
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some point State Law changed and the City started sending individual tax bills to the owners of each week. That is the point in history when the City started seeing an increase in the number of timeshare units that were allowed to foreclose. The City has taken the collection process as far as possible on these units.

On a motion by Fortier, seconded by Beatham, it was unanimously

RESOLVED to approve Council Order #091711, Request of the Deputy Treasurer/Tax Collector to adjust the previously approved pricing for tax acquired timeshare units to \$100.00 per unit and to write off any remaining tax balance.

Adjournment.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve adjournment at 8:12 PM.

A TRUE COPY

ATTEST: _____
HEIDI-NOËL GRINDLE

**Approved -
Adjournment at 8:12
PM.**